

**FILED**  
DISTRICT COURT OF GUAM  
FEB 22 2006  
MARY L.M. MORAN  
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE TERRITORY OF GUAM

UNITED STATES OF AMERICA, ) CRIMINAL CASE NO. 01-00083  
Plaintiff, )  
vs. )  
JI SUNG SHIN a.k.a. JAMES SHIN, ) **AMENDED TRIAL ORDER**  
Defendant. )

16 The trial in this case was previously set to commence on March 8, 2006, however, on  
17 February 9, 2006, defense counsel Rawlen Mantanona filed a Motion to Withdraw based on a  
18 conflict of interest. On February 15, 2006, the Court granted the motion to withdraw and  
19 appointed William Gavras to represent the Defendant.

20 On February 21, 2006, the parties appeared before the Court for purposes of determining  
21 whether Mr. Gavras would be prepared to proceed to trial as scheduled. Mr. Gavras stated that,  
22 based on his recent appointment and the voluminous discovery received that he must still review,  
23 the earliest date he could possibly be ready to try the case would be in May 2006. The  
24 Government had no objection to counsel's request for additional time to prepare an adequate  
25 defense for the Defendant.

Accordingly, the trial in this case is hereby rescheduled to commence on Tuesday,

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1 May 9, 2006, at 9:00 a.m. before the Honorable John C. Coughenour.<sup>1</sup> All pretrial motions shall  
2 be filed no later than April 17, 2006. Additionally, the following shall be filed or lodged with  
3 the Court no later than May 21, 2006:

- 4 1) Proposed jury voir dire questions;
- 5 2) An original and one copy of the exhibit list - (Government's  
6 exhibits numbered; Defendant's exhibits lettered);
- 7 3) Three complete sets of marked and tabbed exhibits in three-  
ring binders. A copy of the Exhibit List shall be included  
in each three-ring binder. The parties shall meet and confer  
sufficiently in advance of trial and formulate a set of joint  
exhibits, if possible, to eliminate duplicate exhibits. Those  
exhibits upon which agreement cannot be reached shall be  
submitted separately by each respective party;
- 8 4) Any documents to be used in the examination of witnesses, but not  
to be introduced into evidence, such as police reports, investigative  
reports or witness statements - (one copy must be lodged with the  
Court);
- 9 5) Proposed verdict forms;
- 10 6) An original and one copy of witness lists for purposes of  
voir dire only - (Witness lists shall include: legal names,  
aliases, nicknames, place of residence and place of  
employment); and
- 11 7) Proposed jury instructions - (Those jury instructions upon which  
an agreement cannot be reached shall be submitted in a separate  
packet, together with the objections and authority therefor of each  
party).

12 The period of delay between February 15, 2006, and May 9, 2006, inclusive, is hereby  
13 excluded for purposes of the Speedy Trial Act. The Court finds that "the ends of justice served  
14 by taking such action outweigh the best interest of the public and the defendant in a speedy trial"  
15 based on the fact that failure to grant the continuance would deny defense counsel reasonable  
16 time necessary for effective preparation, taking into account the exercise of due diligence. 18  
17 U.S.C. § 3161(h)(8)(A) and (B)(iv).

18 DATED this 22<sup>nd</sup> day of February 2006.

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JOAQUIN V.E. MANIBUSAN, JR.  
United States Magistrate Judge

<sup>1</sup> The Honorable John C. Coughenour, United States District Judge for the Western District of Washington, sitting by designation.